



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

222

CRWP-10365-2024

Date of Decision : November 07, 2024

BALDEV PARSAD CHAUHAN

.....Petitioner

VERSUS

STATE OF PUNJAB AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. A.S.Jawandha, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. On 24.10.2024, the following order was passed by this Court:-

“Through the instant criminal writ petition, filed under Article 226 of the Constitution of India, a prayer is made for issuance of a writ in the nature of habeas corpus, and for appointment of a warrant officer to release the daughter of the petitioner namely, Jyoti Devi, from the illegal custody of respondent Nos.5 to 11, and to hand over the custody of the detenue, to the petitioner.

Notice of motion.

Mr. Pardeep Bajaj, DAG, Punjab, waives service and accepts notice on behalf of the official respondents No.1 to 4.

A direction is issued upon the SHO/Officer-Incharge, Police Station Nayagaon, District SAS Nagar, Mohali, Punjab, respondent No.4, to locate the alleged detenue, and thereupon, after ascertaining her age, her statement be recorded

before the learned Magistrate concerned, under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and thereupon, the learned Magistrate concerned, shall pass an appropriate order in accordance with the law. The compliance report in this regard, be filed on or before the next date of hearing by the SHO/Officer-Incharge.

Adjourned to 07.11.2024.”

2. In pursuance of the directions issued by this Court on 24.10.2024, the alleged detainee was produced before the learned Magistrate/Duty Magistrate concerned. Her statement was recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and thereupon a specific direction was issued by the learned Magistrate concerned vide order dated 16.11.2024 directing the SHO to leave the detainee at the place of her choice and liking.

3. In view of the above, no grievance survives, therefore, the instant petition is **closed**.

4. **Disposed** of accordingly.

November 07, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No